

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARSH & MCLENNAN AGENCY LLC,	:
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Plaintiff,	:
	:
-v-	:
	22 Civ. 8920 (JPC)
	:
DONALD DRENNAN WILLIAMS, JR. <i>et al.</i> ,	:
	:
Defendants.	:
	:
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JOHN P. CRONAN, United States District Judge:

On March 18, 2024, Defendants filed a motion that sought that sought dismissal of this action and, as an alternative form of relief, an order compelling arbitration. Dkts. 58, 59 (“Mot.”). Specifically, Defendants argue that the Honorable Vernon S. Broderick’s July 2, 2021, decision in *Marsh & McLennan Agency LLC v. Ferguson*, No. 19 Civ. 3837 (VSB) (S.D.N.Y. July 2, 2021), Dkt. 110, precludes Plaintiff from relitigating whether it should be compelled to arbitrate its claims in this case. Mot. at 17-19. In reply, Plaintiff argues that collateral estoppel cannot apply because the underlying decision in *Ferguson* is sealed. Dkt. 65 at 23 (“It stands to reason that collateral estoppel cannot apply where there is no ruling available at all.”). The *Ferguson* Order and Opinion is no longer sealed. *See Ferguson*, No. 19 Civ. 3837, Dkts. 110, 144. Accordingly, by March 13, 2025, the parties shall file simultaneous supplemental briefs, of no longer than 1,250 words, addressing whether Plaintiff is collaterally estopped from relitigating whether it should be compelled to arbitrate its claims.

SO ORDERED.

Dated: March 6, 2025  
New York, New York

  
JOHN P. CRONAN  
United States District Judge